



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 22, 2022

Under Seal
BY EMAIL

Hon. Alison J. Nathan
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Byung Hoon Kim,
19 Cr. 392 (AJN)

Dear Judge Nathan:

On behalf of both parties, the Government writes in response to the Court's order to provide a joint update to the Court. Since the time of the parties' last joint update, Mr. Byung Hoon Kim testified as a cooperating witness for the Government in the matter of *United States v. Shin*, 19 Cr. 552 (JPC). At this time, the parties request that this matter be unsealed, that the Court direct the Probation Office to prepare a presentence report for Mr. Kim, and that Mr. Kim's sentencing be scheduled for some date after September 16, 2022, which is the date currently set to sentence Edward Shin in *United States v. Shin*.

Very truly yours,

DAMIAN WILLIAMS
United States Attorney

by: /s/

Tara LaMorte / Anden Chow / Jessica Greenwood
Assistant United States Attorneys
(212) 637-1041 / 2348 / 1090

cc: Hon. John P. Cronan (by email)
Michael Burke, Esq. (by email)

These requests are granted. The parties shall appear for Mr. Kim's sentencing on October 6, 2022 at 2:00 p.m. in Courtroom 12D at 500 Pearl Street, NY, NY. Defendant's sentencing submissions are due by September 15, 2022, and the Government's submission is due by September 22, 2022. The Probation Office is ordered to prepare a presentence report for Mr. Kim. The Clerk of the Court is respectfully directed to unseal this case.

SO ORDERED.

Date: June 29, 2022

New York, New York

JOHN P. CRONAN
United States District Judge